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4 UNITED STATES DISTRICT COURT
5 FOR THE EASTERN DISTRICT OF WASHINGTON
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7 LISA ORVIS, a single woman and
8 others similarly situated,
9

10 Plaintiff,

11 vs.

12 SPOKANE COUNTY, a municipal
13 corporation,

14 Defendant.

15 No. CV-10-424-RMP

16 ORDER GRANTING JOINT
17 MOTION FOR FINAL
18 APPROVAL OF PROPOSED
19 CLASS ACTION SETTLEMENT,
20 INCENTIVE AWARDS AND
21 ATTORNEYS' FEES AND
22 COSTS

23 THIS MATTER comes before the Court, pursuant to the Order of this
24 Court, ECF No. 41, on the joint application of the *Settling Parties* for approval of
25 the settlement set forth in the *Class Action Settlement Agreement* dated as of
February, 13, 2012 (the “*Settlement Agreement*” or the “*Agreement*”), ECF No.
41. Having determined that due and adequate notice has been given to the
Settlement Class (as defined in the *Agreement*, ECF No. 41-1) as required in the
Court’s Order at ECF No. 41, and the Court having considered all papers filed
and having heard from the parties in Spokane, Washington, on June 11, 2012, IT
IS HEREBY ORDERED, ADJUDGED AND DECREED that:

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ORDER ~ 1

1 1. This Order incorporates by reference the definitions in the
2 *Agreement*, and all italicized terms herein shall have the same meanings as set
3 forth in the *Agreement*.

4 2. This Court has jurisdiction over the subject matter of this action and
5 over all members of the *Settlement Class*.

6 3. The notice given to *Class Members* and the other matters set forth in
7 the *Agreement* was the best notice practicable under the circumstances, including:
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9 (i) individual *Mailed Notice* to all *Class Members* who could be identified
10 through reasonable effort based upon Spokane County records, and Advanced
11 Address Searches for *Class Members* whose *Mailed Notice* was returned as
12 undeliverable; and (ii) *Publication Notice* twice in the *Spokesman Review*. Said
13 notice provided due and adequate notice of these proceedings and of the matters
14 set forth in the *Agreement*, including the proposed *Settlement*, to all persons
15 entitled to such notice, and said notice fully satisfied the requirements of Rule 23
16 of the Federal Rules of Civil Procedure and due process.

17 4. Pursuant to Rule 23 of the Federal Rules of Civil Procedure, this
18 Court **hereby approves** the *Settlement* as set forth in the *Agreement* and the
19 proposed *Plan of Allocation* as set forth in the *Mailed Notice*. The Court finds that
20 said *Settlement* and the *Plan of Allocation* are, in all respects, fair, reasonable and
21 proportionate.

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ORDER ~ 2

1 adequate with respect to the *Settlement Class*, and directs that the *Settlement* be
2 consummated in accordance with the terms and conditions set forth in the
3 *Agreement* and the *Plan of Allocation*. The Court hereby Orders, Adjudges and
4 Decrees that the *Settlement Agreement* is binding on the *Named Plaintiff*, the
5 *Settlement Class*, and the *Defendant* according to its terms.

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7 5. *Class Counsel* are **hereby awarded**, from the *Settlement Amount*,
8 attorneys' fees in the amount of \$83,623.35, and the reimbursement of their
9 expenses in the amount of \$1,205.50. Both amounts are to be paid in accordance
10 with the terms and conditions of the *Agreement*.

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12 6. The Court has considered the request that it award an *Incentive*
13 *Award* to the *Named Plaintiff*, Ms. Orvis, in this action. The Court **grants** the
14 request on the basis of its finding that Ms. Orvis has been an active, cooperative
15 class representative who has placed her incarceration history available for public
16 scrutiny for the benefit of the class. Accordingly, the Court approves an *Incentive*
17 *Award* of \$10,000.00 for Ms. Orvis. The *Incentive Award* shall be paid in
18 accordance with the terms and conditions of the *Agreement*.

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20 7. As orally discussed and ordered at the hearing on June 11, 2012, the
21 *Agreement* shall be modified pursuant to this Order, only with respect to the
22 provision governing reversion of unallocated funds to the County. Namely,

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25 ORDER ~ 3

reversion of funds shall take place at the conclusion of **60 days** from the resolution of any and all appeals of this Order and subsequent judgment in this matter.

8. The Court hereby dismisses this action in its entirety as to *Defendant*, Spokane County, with prejudice and without costs (except as otherwise provided in the *Agreement*).

9. This Order is a final judgment in the action as to all claims among the *Defendant*, on the one hand, and the *Named Plaintiff* and all *Class Members*, on the other.

10. Without further order of the Court, the parties may agree to reasonable extensions of time to carry out any of the provisions of the *Agreement*.

IT IS SO ORDERED.

The District Court Clerk is directed to enter this Order, provide copies to counsel, enter judgment as set forth above, and **close the file** in this case.

DATED this 11th day of June 2012.

s/ Rosanna Malouf Peterson
ROSANNA MALOUF PETERSON
Chief United States District Court Judge

ORDER ~ 4